

Equality and Diversity Policy

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Purpose

This document sets out our policy with regard to representation of all sections of society and our clients, and for each employee to feel respected and able to give their best. It is designed to protect apprentices who we assess, minimise the risk of an adverse effect and ensure that we comply with all relevant legislation, guidance and standards.

In providing our End Point Assessments we are committed against unlawful discrimination of clients or the public.

The policy's purpose is to provide equality, fairness and respect for all in our employment, our client and the wider public; to not unlawfully discriminate because of the Equality Act 2010 protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, and ethnic or national origin), religion or belief, sex (gender) and sexual orientation and to oppose and avoid all forms of unlawful discrimination. This includes in pay and benefits, terms and conditions of employment, dealing with grievances and discipline, reasonable adjustments, special considerations, appeals, complaints, dismissal, redundancy, leave for parents, requests for flexible working, and selection for employment, promotion, training or other developmental opportunities.

All our clients and stakeholders are encouraged to hold the same responsibilities and commitments to equality of opportunity.

Current Legislation

- Equality Act 2010
 - Legally protects people from discrimination in the workplace and in wider society.
- Employment Rights Act 1996
 - Enables employees who have worked for the same employer for twelve months, whether full or part-time and consider themselves unfairly dismissed to make a claim against the employer
- Human Rights Act 1998
 - The European Convention of Human Rights is still part of UK law following Brexit and therefore individuals can claim their rights through UK judges in UK courts.

- Data Protection Act 1998
 - Personal data held on employees or candidates, may be accessed by them. They may ask for certain data to be corrected or removed.
- Health & Safety at Work Act 1974
 - Employers have a general duty of care, so far as reasonably practicable to ensure the health, safety and welfare of all employees (including candidates). Bullying, harassment discrimination and/or victimisation may be hazardous to health and any instances of these occurring must be resolved.
- Protection from Harassment Act 1997
 - Covers cases of physical or verbal assault, intimidation or stalking
- Crime and Disorder Act 1998
 - Incorporates specific offences of racist violence and harassment
- Equal Pay Act 1970 (Revised 1984)
 - Covers salaries, bonuses, overtime, holiday and sick pay, performance and occupational pensions

Our operating principles:

- To promote equality and tackle discrimination in all its forms
- To ensure that apprentices’ performance in End Point Assessments is not affected in any way by any protected characteristics as defined by the Equality Act 2010.
- To monitor achievement gaps between learner groups where such gaps may be attributable to learners’ gender, ethnicity or other protected characteristic that we are aware of.

Applicability

This policy is applicable to all employees, associates and partners.

We will:

- Encourage equality and diversity in the workplace as they are good practice and make business sense
- Create a working environment free of bullying, harassment, victimisation and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all staff are recognised and valued
- Train all employees about their rights and responsibilities under the equality policy. Responsibilities include staff conducting themselves to help the organisation provide equal opportunities in employment, and prevent bullying, harassment, victimisation and unlawful discrimination
- Ensure that all staff understand they, as well as their employer, can be held liable for acts of bullying, harassment, victimisation and unlawful discrimination, in the course of their employment, against fellow employees, clients, suppliers and the public.
- Take seriously complaints of bullying, harassment, victimisation and unlawful discrimination by fellow employees, clients, suppliers, visitors, the public and any others in the course of the organisation’s work activities

- Such acts will be dealt with as misconduct, and any appropriate action will be taken. Particularly serious complaints could amount to gross misconduct and lead to dismissal without notice.
- Further, sexual harassment may amount to both an employment rights matter and a criminal matter, such as in sexual assault allegations. In addition, harassment under the Protection from Harassment Act 1997 – which is not limited to circumstances where harassment relates to a protected characteristic – is a criminal offence.

Discrimination, bullying or harassment refers to all unacceptable and unwarranted comments and behaviour, which disrupts the quality of life or work of the individual – although the following list does not include all forms of bullying and harassment, the following are some examples of behaviour that are against our equality policy and will not be tolerated:

- Physical Contact – physical assault, threatening behaviour or gesture, unwanted and unnecessary touching, patting, pinching etc.
- Verbal Conduct – sexual innuendo, lewd remarks, offensive jokes, mimicry of accents, abusive language, questions about a person’s private life, derogatory remarks about a person’s colour, religions, sexuality, lifestyle, disability, customs or culture, gossip or slander.
- Non-Verbal Conduct – display of pornographic or suggestive pictures or posters, offensive graffiti, defacing notices or letters, offensive cartoons, flags or emblems, screensavers, leering etc.
- Unacceptable Conduct – isolation, aggressive or threatening behaviour, setting a person up to fail, belittling a person professionally or personally, changing or taking away responsibilities without notice, over scrutiny, unfair allocation of jobs, misuse of internet, email, memos etc.

All occurrences of discrimination, harassment and bullying must be reported by telephone (in the first instance) to the learner’s direct line manager or to their instructor.

Once our instructor has been made aware of any issue of discrimination, bullying or harassment, the Designated Safeguarding Lead will be informed and a Partner will be appointed to investigate the situation within 48 hours of the report. A meeting will be set up with the employer within 5 working days of the initial report and a full investigation into the events will take place. The intention of such a meeting will be to ensure the employer is fully aware of the situation and ensure the discrimination, bullying or harassment is stopped as soon as is practicably possible.

Any allegations of harassment will be, as far as is practicable, investigated by a person not involved with the staff member or learner on a day-to-day basis.

False allegations of discrimination, harassment or bullying will be taken as an offence against the policy and will be investigated. Any staff member or learner who bullies another individual they believe have made accusations against them (proved or not) will be liable to dismissal.

It is the duty of all staff, learners and employers to comply with our measures to set out to improve equality of opportunity. Any behaviour that contravenes this must be reported and no one must encourage or allow others (even by omission) to carry out a discriminatory act.

Implementation

We will:

- Make opportunities for training, development and progress available to all staff and learners who will be helped and encouraged to develop their full potential, so their talents and resources can be fully utilised to maximise the efficiency of the organisation
- Review employment practices and procedures when necessary to ensure fairness, and also update them and the policy to take account of changes in the law
- Monitor the make-up of the workforce regarding information such as age, gender, ethnic background, sexual orientation, religion or belief, and disability in encouraging equality and diversity, and in meeting the aims and commitments set out in the equality policy
- Ensure that the style and language of our documentation will be readily understood and will not reflect stereotypes or biased attitudes.
- Respect the rights of staff and learners to practice their own faith. Fasting periods and other religious requirements such as private prayer will be considered on a case by case basis.
- Ensure that staff and learners will receive regular training and updates on equal opportunities and employment responsibilities and rights, and ensure that they are fully engaged with our efforts to promote equality and diversity.
- Publish this policy on our website

We will implement this policy in accordance with all legislation and will review it at least annually.